

First Published in the Wichita Eagle on February 26, 2010

RESOLUTION NO. 10-039

A RESOLUTION DETERMINING THE ADVISABILITY OF FAÇADE IMPROVEMENTS AT 105 SOUTH BROADWAY (SOUTH OF DOUGLAS, WEST OF BROADWAY) 472-84411 IN THE CITY OF WICHITA, KANSAS; AUTHORIZING SUCH IMPROVEMENTS IN ACCORDANCE WITH THE FINDINGS OF THE GOVERNING BODY AND K.S.A. 12-6a01 *ET SEQ.*, AND REPEALING RESOLUTION NO. 08-129

WHEREAS, K.S.A. 12-6a02 authorizes the governing body of any city to make or cause to be made municipal works or improvements which confer a special benefit upon property within a definable area of the city and to levy and collect special assessments upon property in the area deemed by the governing body to be benefited by such improvements for special benefits conferred upon such property by any such improvements and to provide for the payment of all or any part of the costs of the improvements with the proceeds of such special assessments; and

WHEREAS, a petition, executed by a sufficient number of the owners of property within the proposed improvement district, has been filed with the City of Wichita, Kansas (the "City"), requesting certain improvements be made in accordance with K.S.A. 12-6a01 *et seq.*; and

WHEREAS, K.S.A. 12-6a04(2) provides that upon receipt of a petition filed with the City Clerk in accordance with K.S.A. 12-6a04(2), the governing body of the City may (a) make findings by resolution as to the advisability of the improvements requested in the petition, the nature of the improvements, the estimated cost, the boundaries of the improvement district, the method of assessment and apportionment of cost, if any, between the improvement district and the city-at-large and (b) order the improvements without notice or public hearing; and

WHEREAS, the Governing Body finds it necessary to make its final findings by resolution as to the advisability of the proposed improvements and finds and determines it necessary to authorize the improvements;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

**SECTION 1.** The Governing Body finds and finally determines that:

- (a) It is advisable to make the following improvements:

the design and reconstruction of a façade improvements to enable historically or architecturally significant buildings to be preserved and eliminate exterior code deficiencies, all in accordance with plans and specifications approved by the City of Wichita.

Said improvements shall be constructed in accordance with plans and specifications approved by the City Engineer.

b) The estimated or probable cost of such improvements is \$564,100.

(c) The improvement district in the City to be assessed for the cost of the improvements is:

Lots 133 and 135, on Douglas Avenue, in Greiffenstein's Original Town of Wichita, Sedgwick County, Kansas

(d) The method of assessment is equally per square foot.

(e) The apportionment of the cost of the improvements between the improvement district and the city-at-large is 100% to be assessed against the improvement district and 0% to be paid by the city-at-large.

**SECTION 2.** The improvements are authorized and ordered to be made in accordance with the findings of the Governing Body as set forth in Section 1 of this Resolution.

**SECTION 3.** Resolution No. 08-129 is hereby repealed.

**SECTION 4.** The City Clerk shall publish this Resolution one time in the official City newspaper and shall also file this Resolution of record in the office of the Register of Deeds of Sedgwick County, Kansas. This Resolution shall be effective upon adoption by the Governing Body of the City.

ADOPTED by the Governing Body of the city of Wichita, Kansas, on February 23, 2010.

(Seal)

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Carl Brewer, Mayor

ATTEST:

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Karen Sublett, City Clerk

APPROVED AS TO FORM:

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Gary Rebenstorf, Director of Law